

CHAPTER 67
EDUCATIONAL SUPPORT PROGRAMS FOR PARENTS
OF AT-RISK CHILDREN AGED BIRTH THROUGH THREE YEARS

281—67.1(279) Purpose. These rules set forth procedures and conditions under which state funds shall be granted to school districts, area education agencies or other agencies which administer quality educational support services to parents of at-risk children aged birth through three years.

281—67.2(279) Definitions.

“Applicant” means a public school district, area education agency or an agency which applies for the funds to provide quality educational support programs to parents of at-risk children aged birth through three years.

“At-risk children” means children birth through age three who are at risk because of physical or environmental influence.

“Council” means the child development coordinating council.

“Department” means the department of education.

“Early intervention interagency council” means the community early intervention interagency councils for handicapped infants and toddlers and their families formed to assist with the implementation of P.L. 99-457, Part H, which amends P.L. 94-142, Education of the Handicapped Act.

“Educational support services” means individual or group opportunities providing information to parents which focuses on: parenting skills, child growth and development, building of self-concept, nutrition, positive guidance techniques, family resource management, parent literacy, and how to access the array of supportive services from a network of agencies that are available to families with young children who are at risk.

“Grantee” means the applicant designated to receive the grants for educational support services to parents of at-risk children aged birth through three years.

“Parent” means biological, adoptive, surrogate, foster parent, or guardian.

“Quality educational support services” means educational support services that have a qualified or trained staff to provide a program which meets the needs of parents through the use of a validated curriculum or which is based on a model project which has proven successful in another state or location.

281—67.3(279) Eligibility identification procedures. In a year in which funds are made available by the Iowa legislature, the department shall grant awards to applicants for the provision of educational support services to parents of at-risk children aged birth through three years. Funds shall be made available on a competitive basis to schools or nonprofit agencies demonstrating an ability to provide quality educational support services to parents of at-risk children aged birth through three years.

281—67.4(279) Eligibility. The available funds shall be directed to serve parents of at-risk children aged birth through three years in the primary eligibility category as follows:

Parents having one or more children aged birth through three years who meet the current income eligibility guidelines for free and reduced price meals in a local school or whose total income is, or is projected to be, equal to or less than 125 percent of the federally established poverty guidelines.

281—67.5(279) Secondary eligibility. The available funds shall be directed to serve parents of at-risk children aged birth through three years when children qualify in one or more of the secondary eligibility categories as follows:

1. Children who are abused.
2. Children functioning below chronological age in two or more developmental areas, one of which may be English proficiency, as determined by an appropriate professional.
3. Children born with an established biological risk factor, such as very low birth weight (under 1500 grams—approximately three pounds) or with conditions such as spina bifida, Down's syndrome or other genetic disorders.
4. Children born to a parent who was under the age of 18.
5. Children residing in a household where one or more of the parents or guardian:
 - Has not completed high school;
 - Has been identified as a substance abuser;
 - Has been identified as chronically mentally ill;
 - Is incarcerated;
 - Is illiterate;
 - Is a child or spouse abuser; or
 - Has limited English proficiency.
6. Children having other special circumstances, such as foster care or being homeless.

281—67.6(279) Grant awards criteria.

67.6(1) *Criteria points.* The following information shall be provided and points shall be awarded to applicants based on the following criteria as stated in the request for proposal:

1. Identification of parents of at-risk children.
2. Parent accessibility to the project.
3. Positive family focus.
4. Educational support programs to provide family services.
5. Community and interagency coordination.
6. Use of media and materials.
7. Overall program evaluation.
8. Letters of community support.
9. Program budget (administrative) costs not to exceed 10 percent of total award.

67.6(2) *Additional grant components.* The following information shall be provided and points shall be awarded to applicants based on the following additional components.

1. Documentation of a need for this project.
2. Demonstration that the concept outlined within the application has support of the community-based child development coordinating council or P. L. 99-457, Part H, early intervention interagency council, when applicable.
3. Justification of how this project will utilize services from other agencies and how this project will supplement services to the eligible population.
4. Identification of the curriculum to be used or the model to be replicated.
5. Demonstration that persons qualified to administer these educational support services to parents will be employed.

281—67.7(279) Application process. The department shall announce through public notice the opening of an application period.

281—67.8(279) Request for proposals. Applications for the educational support services to parents of at-risk children aged birth through three years grants shall be distributed by the department upon request.

281—67.9(279) Award contracts.

67.9(1) Grants for educational support services to parents of at-risk children aged birth through three years shall not supplant other existing funding sources.

67.9(2) Administrative costs shall be limited to 10 percent of the total award.

281—67.10(279) Notification of applicants. Applicants shall be notified of the department's decision to approve the proposal within 45 days of the deadline for applications. Negotiations may be required. Successful applicants will be requested to have an official with vested authority sign a contract with the department.

281—67.11(279) Grantee responsibilities. The grantee shall maintain records which include, but are not limited to:

1. Demographic information on parents and children served.
2. Qualifying criteria for those parents receiving educational support services.
3. Documentation of the number of contact hours in either individual or group sessions with parents.
4. Documentation of the type of educational support service provided to parents.
5. Indication of where the services were provided, i.e., home, school or community facility.
6. Evaluation of how each project goal and objective was met, on what timeline, and with what success rate.
7. Record of expenditures and an annual audit.
8. Other information specified by the department necessary to the overall evaluation.

Grantees shall complete a year-end report on forms provided by the department documenting the information outlined in this rule. The final project report is due 45 days after the completion of the project as defined in the contract with the department. The payment of the final quarter of the grant award will be made by the department to the grantee upon receipt and approval of the project final report. No new awards shall be made for continuation of programs where there are delinquent reports from prior grants.

281—67.12(279) Withdrawal of contract offer. If the applicant and the department are unable to successfully negotiate a contract, the department may withdraw the award offer.

281—67.13(279) Evaluation. The grantee shall cooperate with the department and provide requested information to determine how well the goals and objectives of the project are being met.

281—67.14(279) Contract revisions. The grantee shall immediately inform the department of any revisions in the project budget. The department and the grantee may negotiate a revision to the contract to allow for expansion or modification of services but shall not increase the total amount of the grant. The council may approve revised contracts if the revision is in excess of 10 percent of a budget category.

281—67.15(279) Termination for convenience. The contract may be terminated, in whole or in part, upon agreement of both parties. The parties shall agree upon the termination conditions, including the effective date, and in the case of partial termination, the portion to be terminated. The grantee shall not incur new obligations for the terminated portion after the effective date of termination and shall cancel as many outstanding obligations as possible.

281—67.16(279) Termination for cause. The contract may be terminated, in whole or in part, at any time before the date of completion, whenever it is determined by the department that the grantee has failed to comply substantially with the conditions of the contract. The grantee shall be notified in writing by the department of the reasons for the termination and the effective date. The grantee shall not incur new obligations for the terminated portion after the effective date of termination and shall cancel as many outstanding obligations as possible.

The department shall administer the educational support services grants contingent upon their availability. If there is a lack of funds necessary to fulfill the fiscal responsibility of these grants, the contracts shall be terminated or renegotiated. The department may terminate or renegotiate a contract upon 30 days' notice when there is a reduction of funds by executive order.

281—67.17(279) Responsibility of grantee at termination. Within 45 days of the effective date of termination, the grantee shall supply the department with a financial statement detailing all program expenditures up to the effective date of the termination. The grantee shall be solely responsible for all expenditures after the effective date of termination.

281—67.18(279) Appeal from terminations. Any agency or public school aggrieved by a unilateral termination of a contract pursuant to rule 67.16(279) may appeal the decision to the director of the department in writing within 30 days of the decision to terminate. The hearing procedures found at 281—Chapter 6 shall be applicable to appeals of terminated grantees.

In the notice of appeal, the grantee shall give a short and plain statement of the reason for the appeal.

281—67.19(279) Refusal to issue ruling. The director may refuse to issue a ruling or decision upon an appeal for good cause. Good cause includes, but is not limited to, the following reasons:

1. The appeal is untimely;
2. The appellant lacks standing to appeal;
3. The appeal is not in the required form or is based upon frivolous grounds;
4. The appeal is moot because the issues raised in the notice of appeal or at the hearing have been settled by the parties;
5. The termination of the grant was beyond the control of the department because it was due to lack of funds available for the contract.

281—67.20(279) Request for Reconsideration. A disappointed applicant who has not been approved for funding may file a Request for Reconsideration with the director of the department in writing within 10 days of the decision to decline to award a grant. In order to be considered by the director, the Request for Reconsideration shall be based upon one of the following grounds:

1. The decision process was conducted in violation of statute or rule;
2. The decision violates state or federal law, policy, or rule (to be cited in the Request);
3. The decision process involved a conflict of interest.

Within 20 days of filing a Request for Reconsideration, the requester shall submit all written documentation, evidence, or argument in support of the request. The director shall notify the child development coordinating council of the request and shall provide the council an opportunity to defend its decision with written documentation, evidence, or argument, which shall be submitted within 20 days of receipt of the request. The council shall provide copies of all documents to the requester at the time the items are submitted to the director.

The director shall issue a decision granting or denying the Request for Reconsideration within 30 days of the receipt of the evidence, or no later than 60 days from the date of Request for Reconsideration, unless a later date is agreeable to the requester and the council.

281—67.21(279) Refusal to issue decision on request. The director may refuse to issue a decision on a Request for Reconsideration upon good cause. Good cause includes, but is not limited to, the following reasons:

1. The request was untimely;
2. The requester lacks standing to seek reconsideration;
3. The request is not based on any of the available grounds in rule 67.18(279), or is merely frivolous or vexatious;
4. The requester failed to provide documentation, evidence or argument in support of its request;
5. The request is moot due to negotiation and settlement of the issue(s).

281—67.22(279) Granting a Request for Reconsideration. If the director grants a Request for Reconsideration, the council shall consider the grantee's application in accordance with the director's findings and decision.

These rules are intended to implement Iowa Code section 279.51.

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